COMMISSION IMPLEMENTING DECISION

of 15.6.2015

on the Annual Action Programme 2015 for Nuclear Safety Cooperation to be financed from the general budget of the European Union
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THE EUROPEAN COMMISSION,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (Euratom) No 237/2014 of 13 December 2013 establishing an Instrument for Nuclear Safety Cooperation¹ (hereinafter referred to as “INSC”), and in particular Article 7 thereof,

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union², and in particular Article 84(2) thereof,

Whereas:


(a) promotion of an effective nuclear safety culture and implementation of the highest nuclear safety and radiation protection standards, and continuous improvement of nuclear safety;

(b) responsible and safe management of spent fuel and radioactive waste (i.e. transport, pre-treatment, treatment, processing, storage and disposal), decommissioning and remediation of former nuclear sites and installations;

(c) establishment of frameworks and methodologies for the application of efficient and effective safeguards for nuclear material in third countries;

(2) The objectives pursued by the Annual Action Programme to be financed under the INSC should enable beneficiary countries to improve the safety of their nuclear installations and their operations.

(3) The Annual Action Programme should constitute of ten actions:

1. Action entitled ”Enhancing the capabilities of the Armenian Nuclear Regulatory Authority (ANRA) in preparedness for and response to a nuclear or radiological emergency”, having as the expected outcome to enhance the capabilities of ANRA, and Armenia more generally, in preparedness for and response to a nuclear or radiological emergency;

¹ OJ L 77, 15.3.2014, p. 109
³ C(2014) 3763 of 13.06.2014
⁴ C(2014) 3764 of 13.06.2014
2. Action entitled “Support and assistance to strengthen the capabilities of the Belarusian Nuclear Regulatory Authority MES/Gosatomnadzor in the field of Nuclear Emergency Preparedness and Response“, having the overall objective of strengthening of emergency preparedness in case of a possible accident with radiological consequences in Belarus;

3. Action entitled “Urgent measures for the management and remediation of high risk uranium legacy sites in Central Asia“, having as the general long-term objective to improve safety, efficiency and cost effectiveness of the management and remediation of the uranium legacy sites of Kyrgyzstan, Tajikistan and Uzbekistan and the Central Asia region as a whole, the specific objectives of improving the protection against radiation exposure for the population; improving the nuclear safety situation of uranium legacy site; and creating an adequate funding structure for future remediation works in Central Asia;

4. Action entitled “Enhancing the capacity and regulatory capabilities of the Chinese National Nuclear Safety Administration (NNSA) in the areas of waste management, emergency preparedness and response, transport and national research and development base“, having the objective of enhancing and strengthening the nuclear regulatory regime in China, in accordance with European/internationally used standards and best practice, in four specific areas: radioactive waste management, emergency preparedness and response, transport of radioactive materials and the establishment and capacity building of NNSA Technical R&D base for Nuclear and Radiation Safety;

5. Action entitled “MC.3.01/15 - Cooperation with the International Atomic Energy Agency's (IAEA) Departments of Technical Cooperation, Nuclear Safety and Security and Nuclear Energy“, which should be implemented by the IAEA's Departments of Technical Cooperation, Nuclear Safety and Security and Nuclear Energy as follows: five projects addressing the life-cycle management of radioactive waste - responsible and safe management of spent fuel and radioactive waste, decommissioning and remediation of former nuclear sites and installations. The overall amount of Commission contribution to these projects should be EUR 2 800 000 and corresponds to the projects 1 to 5 below; one project aiming at Strengthening Emergency Preparedness and Response Capabilities and Arrangements at National and Regional Levels (project 6) with a budget of EU contribution of EUR 700 000. This project is complementary to the previous one as it supports the Regulatory Authority of Ukraine in its supervision and licensing of activities related to waste management, decommissioning and remediation of selected sites;

6. Action entitled “Support to the Regulatory Body of Morocco for capacity building and for enhancing the regulatory framework for nuclear and radiation safety“, having the objective of strengthening the capabilities of the Moroccan Regulatory Body in the field of nuclear and radiation safety as well as radioactive waste management;

7. Action entitled “Transfer of EU nuclear safeguards methodology to third countries“, being divided into three main activities: (i) the first activity is to provide the beneficiary countries with education outreach in the field of safeguards and non-proliferation in order to stimulate students' and young professionals' interests in safeguards to complement nuclear engineering studies, that is instrumental to a proper development of human resources in countries with fast development of nuclear energy; the European Union has a long standing experience in developing methodologies and associated technologies to implement an international nuclear safeguards system coping with the highest standards; (ii) the second activity aims to transfer this experience to third countries that are embarking in nuclear energy
production or developing their fuel cycle; and (iii) the third activity of the action is to
globally consider uranium mining activities and transport in Africa through a case
study engaging four Southern African States (Tanzania, Malawi, Namibia and
Zambia);

8. Action entitled "Strengthening of State Nuclear Regulatory Inspectorate of Ukraine
(SNRIU) capabilities relevant for the regulation of nuclear activities", having as
project objectives: (i) aligning Ukrainian regulation in the area of nuclear safety in
line with EU acquis, WENRA requirements and EU best practices; (ii) assisting
SNRIU and its local Technical Support Organisation (TSO) in practical
implementation of the newly developed (with higher safety standards) regulatory
documents and further strengthening the SNRIU and its local TSO capabilities in
complex and specialised regulatory activities related to nuclear and radiation safety;

that will be used as a framework for funding activities under the INSC and such
measures (audits, evaluations, identifications, studies, meetings, information
sessions, special events for awareness-raising, publications, training activities and
any other administrative or technical assistance expenditure, including interests for
late payments, etc.) contributing to the sound management of the programme, to the
achievement of its expected results and objectives and to the measurement, analysis
and reporting on the impact;

10. Action entitled "European Commission Contribution to the Chernobyl Shelter Fund
on behalf of the European Union", having as objective the Commission contribution
to the European Bank for Reconstruction and Development (EBRD) Chernobyl
Shelter Fund in order to close the current financial gap for the completion of the
projects under Shelter Implementation Plan (SIP).

(4) It is necessary to adopt a financing decision. Article 94 of Commission Delegated
Regulation (EU) No 1268/2012 establishes detailed rules on financing decisions.

(5) The Commission should be able to entrust budget-implementation tasks under indirect
management to the entities specified in this Decision, subject to the conclusion of a
delegation agreement. In accordance with Article 60(1) and (2) of Regulation (EU,
Euratom) No 966/2012, the authorising officer responsible needs to ensure that these
entities guarantee a level of protection of the financial interests of the Union
equivalent to that required when the Commission manages Union funds.

(6) The EBRD, the IAEA and the International Science and Technology Center (ISTC)
are currently undergoing the assessment under Regulation (EU, Euratom) No 966/2012. In anticipation of the results of this review, the authorising officer
responsible deems that, based on the entities’ positive assessment under Council
Regulation (EC, Euratom) No 1605/2002 and on the long-standing and problem-free
cooperation with them, budget-implementation tasks can be entrusted to these entities.

(7) It is necessary to allow the payment of interest due for late payment on the basis of
Article 92 of Regulation (EU, Euratom) No 966/2012 and Article 111(4) of Delegated
Regulation (EU) No 1268/2012.

(8) The measures provided for in this Decision are in accordance with the opinion of the
Nuclear Safety Cooperation Committee set up under Article 11 of the Regulation
(Euratom) No 237/2014,

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5 Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application
HAS DECIDED AS FOLLOWS:

**Article 1**

Adoption of the measure

The Annual Action Programme 2015 for Nuclear Safety Cooperation to be financed from the general budget of the European Union, as set out in the Annexes, is approved.

The programme shall include the following actions:

- Annex 1: A3.01/15 – Enhancing the capabilities of the Armenian Nuclear Regulatory Authority in preparedness for and response to a nuclear or radiological emergency;
- Annex 2: BY3.01/15 Support and assistance to strengthen the capabilities of the Belarusian Nuclear Regulatory Authority MES/Gosatomnadzor in the field of Nuclear Emergency Preparedness and Response;
- Annex 3: MC4.02/15 – Urgent measures for the management and remediation of high risk uranium legacy sites in Central Asia;
- Annex 4: CH3.01/15 – Enhancing the capacity and regulatory capabilities of the Chinese National Nuclear Safety Administration in the areas of waste management, emergency preparedness and response, transport and national R&D Base;
- Annex 5: MC.3.01/15 - Cooperation with the International Atomic Energy Agency's Departments of Technical Cooperation, Nuclear Safety and Security and Nuclear Energy;
- Annex 6: MO3.01/15: Support to the Regulatory Body of Morocco for capacity building and for enhancing the regulatory framework for nuclear and radiation safety;
- Annex 7: MC5.01/15 – Transfer of EU nuclear safeguards methodology to third countries;
- Annex 8: U3.01/15 – Strengthening of State Nuclear Regulatory Inspectorate of Ukraine (SNRIU) capabilities relevant for the regulation of nuclear activities;
- Annex 9: Support Measures for the Management of the INSC Programme;
- Annex 10: European Commission contribution to the Chernobyl Shelter Found on behalf of the European Union.

**Article 2**

Financial contribution

The maximum contribution of the European Union authorised for the implementation of the programme referred to in Article 1 is set at EUR 59 740 640 to be financed from budget lines 21 06 01 and 21 06 02 of the general budget of the European Union for 2015.

The financial contribution provided for in the first paragraph may also cover interest due for late payment.

**Article 3**

Implementation modalities
The implementing measure was submitted to the committee established under the existing basic act for informal consultation.

Budget-implementation tasks under indirect management may be entrusted to the entities identified in the attached Annexes 3, 5, 7, 10 subject to the conclusion of the relevant agreements.

The section “Implementation” of the Annexes to this Decision sets out the elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012.

**Article 4**

**Non-substantial changes**

Increases or decreases of up to EUR 5 million not exceeding 20% of the contribution referred to in the first paragraph of Article 2, or cumulated changes to the allocations of specific actions not exceeding 20% of that contribution and not representing more than EUR 5 million, as well as extensions of the implementation period shall not be considered substantial within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012, provided that they do not significantly affect the nature and objectives of the actions.

The authorising officer responsible may adopt such non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 15.6.2015

*For the Commission*
Neven MIMICA
Member of the Commission